

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 03/01/2004	NUMBER 05.01.130
SUBJECT PRISONER SECURITY CLASSIFICATION		SUPERSEDES 05.01.130 (07/15/02)	
		AUTHORITY MCL 791.203; 791.264; 791.265; Administrative Rule 791.4401; Cain v MDOC	
		ACA STANDARDS 4-4295; 4-4296; 4-4298; 4-4300; 4-4444; 2-CO-4B-01; 2-CO-4B-03; 2-CO-4G-01	
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POLICY STATEMENT:

Prisoners in Correctional Facilities Administration (CFA) shall be classified to appropriate security levels based on management and confinement requirements in accordance with this policy.

RELATED POLICIES:

04.05.120	Segregation Standards
05.01.135	Statistical Risk Screening
05.01.140	Prisoner Placement and Transfer
06.03.101	Community Residential Programs - Prisoner Placement and Transfer

POLICY:

GENERAL INFORMATION

- A. While there is no right to placement at a particular security level, prisoners shall be classified according to management and confinement requirements necessary for protection of the general public, prevention of escape, maintenance of control and order, and the safety of staff and prisoners.
- B. The categories of security classification in CFA institutions are Levels I through VI and segregation. Level I is the least secure level; segregation is the most secure. This policy only applies to the classification of prisoners to Levels I through VI. Prisoners shall be classified to segregation as set forth in PD 04.05.120 "Segregation Standards".
- C. If a prisoner's Pre-sentence Investigation Report contains conflicting or ambiguous information that may impact on the prisoner's security classification, the field office where the Report was prepared shall be contacted for clarification. If the conflict or ambiguity cannot be resolved, the best judgment of the screener shall be used and rationale documented on the appropriate screening form.
- D. Each prisoner's appropriate security classification shall be determined using the Security Classification Screen - Initial form (CSJ-480) or Security Classification Screen - Initial - Female Prisoners Only form (CSJ-482), as appropriate, and the Security Classification Screen-Review form (CSJ-481) or the Security Classification Screen - Review - Female Prisoners Only form (CSJ-483), as appropriate. All screening forms shall be completed in accordance with OP CFA 05.01.130 "Completion of Security Classification Forms – For Male Prisoners" and OP CFA 05.01.130-A "Completion of Security Classification Forms – For Female Prisoners", as applicable. Staff shall not rely on information contained in a prior security classification screen without first verifying its accuracy; this shall include a review of the prisoner's files, as necessary. All screening forms shall be reviewed for accuracy and signed by a supervisor of the screener.
- E. Male prisoners shall receive copies of their completed screening form within 30 calendar days after completion. Pursuant to court order, female prisoners shall receive copies of their completed screening form within 48 hours after completion. If the prisoner believes that the security classification is the result of incorrect information or computation on the screening form, the prisoner may file a grievance as set forth in PD 03.02.130 "Prisoner/Parolee Grievances".

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- F. The CFA Deputy Director or designee shall maintain a Security Classification Manual, which shall be reviewed annually and updated as needed. Copies of the Manual shall be distributed to Wardens for use by staff involved in security classification. In addition, the CFA Deputy Director or designee shall develop security classification training in coordination with the Office of Training and Recruitment in the Bureau of Human Resources, to be provided to staff involved in security classification.

SECURITY CLASSIFICATION COMMITTEE

- G. Each institution shall have at least one security classification committee which shall be responsible for ensuring proper prisoner placement at that institution. The committee's members shall be appointed by the Warden and include at least one member of the rank of Assistant Deputy Warden or above. Whenever possible, the Security Classification Committee shall include staff representative of custody, programs and housing.

SCREENING OF INCOMING PRISONERS

- H. A Security Classification Screen - Initial form (CSJ-480) or the Security Classification Screen - Initial - Female Prisoners Only form (CSJ-482), as appropriate, shall be completed for each prisoner upon commitment; this includes prisoners returned from parole with new sentences to be served with the Department. However, a prisoner who receives a new sentence to be served with the Department for an offense committed while in a CFA institution shall be screened using only the Security Classification Screen - Review form (CSJ-481) or the Security Classification Screen - Review - Female Prisoners Only form (CSJ-483), as appropriate. When a prisoner receives a sentence to be served with the Department for an offense committed while in a CFA institution or on parole, the prisoner's total management points shall not be lower than that indicated on the prior security classification screen. If the previous score is used, it is to be noted on the new security classification screen.
- I. Whenever a discharged prisoner with a homosexual predator designation returns with a new commitment, reception facility staff shall determine whether the designation is still justified, as set forth in PD 05.01.150 "Homosexual Predator Designations".

SECURITY CLASSIFICATION REVIEW

- J. Prisoners shall be rescreened for security classification by staff designated by the Warden using the Security Classification Screen - Review form (CSJ-481) or the Security Classification Screen - Review - Female Prisoners Only form (CSJ-483), as appropriate, if any of the following occur:
1. It has been twelve months since the prior screening.
 2. The prisoner is being transferred to a different CFA facility and it has been at least 60 calendar days since the prior screening or the prisoner has incurred a major misconduct since the prior screening. This does not apply to temporary transfers for medical, psychiatric or other treatment unrelated to security needs.
 3. Staff have reason to believe the prisoner's security level would change. The prisoner's most recent security classification screen shall be reviewed whenever a Parole Eligibility/Lifer Review Report is being prepared to ensure it accurately reflects the prisoner's correct security level.
 4. The prisoner has received an additional sentence or has been resentenced.
 5. The prisoner has been designated as a homosexual predator or has had the designation removed, in accordance with PD 05.01.150 "Homosexual Predator Designations".
 6. A security threat group designation is pending review for the prisoner unless an exception is approved by the appropriate Regional Prison Administrator (RPA), the prisoner has been designated as a security threat group member or has had the designation removed, in

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accordance with PD 04.04.113 "Security Threat Groups".

7. An error is identified in a prior security classification screen as a result of incorrect information or computation.
- K. Whenever a prisoner designated as a homosexual predator is rescreened for security classification, staff also shall review the prisoner's file in accordance with PD 05.01.150 "Homosexual Predator Designations" to determine whether the designation is still justified.

DETERMINING TRUE SECURITY LEVEL

- L. A prisoner's true security level is normally the higher of the confinement or management level on the appropriate screening form. However, if the screener does not believe that the higher of the confinement or management level accurately reflects the prisoner's security requirements, the true security level may be increased or decreased through a departure. The reason for the departure shall be indicated on the appropriate screening form and, for male prisoners, shall be in accordance with the specific requirements set forth in OP CFA 05.01.130 "Completion of Security Classification Forms – For Male Prisoners". A departure shall not be used to meet bed space or programming needs or for any other reason that is unrelated to the prisoner's security requirements.
- M. All departures require the approval of the CFA Deputy Director or designee except for the following, which may be approved by the Warden or designee subject to Paragraphs Q through U:
 1. A departure to Level I for a prisoner granted a parole as indicated on a Notice of Action/Parole Board (CAX-114); however, if the parole is subsequently suspended, continued placement in Level I requires the approval of the CFA Deputy Director or designee.
 2. A departure which will result in a prisoner's transfer within the same facility or another facility under that Warden's supervision.
 3. A one level departure decreasing the prisoner's true security level.
 4. At a reception facility, a one level departure to Level I through IV.

DETERMINING ACTUAL PLACEMENT LEVEL

- N. Prisoners shall normally be placed consistent with their true security level. However, there may be reasons unrelated to security, (e.g., medical/mental health needs; lack of bed space at the appropriate level) which preclude such placement. When that occurs, the prisoner may be waived to a higher or lower actual placement level. The reason for the waiver shall be indicated on the appropriate screening form and, for male prisoners, shall be in accordance with the specific requirements set forth in OP CFA 05.01.130 "Completion of Security Classification Forms – For Male Prisoners". Pursuant to court order, waivers of female prisoners to a higher security level due to lack of bed space shall not exceed five percent of the female prisoner population.
- O. All waivers require the approval of the CFA Deputy Director or designee except for the following, which may be approved by the Warden or designee subject to Paragraphs Q through U:
 1. A waiver which will result in a prisoner's transfer within the same facility or another facility under that Warden's supervision.
 2. A one level waiver decreasing the prisoner's true security level, unless a one level departure has been approved pursuant to Paragraph M.
 3. At a reception facility, a one level waiver to Level I through IV, unless a one level departure has been approved pursuant to Paragraph M.

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- P. Prisoner placement shall be in accordance with PD 05.01.140 "Prisoner Placement and Transfer". Placement in Level VI also shall be in accordance with PD 05.01.143 "Security Level VI".

OTHER CONSIDERATIONS

- Q. Prisoners shall be classified to Level VI consistent with the requirements set forth in PD 05.01.143 "Security Level VI".
- R. Female prisoners shall not be classified to Level V unless prior approval is obtained from the CFA Deputy Director or designee.
- S. Prisoners designated as security threat group members or, unless an exception is approved by the appropriate RPA, those with designations pending, shall be classified to a security level consistent with the requirements set forth in PD 04.04.113 "Security Threat Groups".
- T. Prisoners designated as homosexual predators pursuant to PD 05.01.150 "Homosexual Predator Designations" shall not be classified to Level I, II, or III.
- U. The following prisoners shall not be classified to Level I unless approved by the CFA Deputy Director or designee:
1. Prisoners serving a sentence for escape, unless granted a parole as indicated on the Notice of Action/Parole Board (CAX-114); however, if the parole is subsequently suspended, continued placement in Level I requires the approval of the CFA Deputy Director or designee.
 2. Prisoners with a pending felony charge or who are awaiting sentencing on a felony conviction.
 3. Prisoners with pending deportation hearings.
 4. Male prisoners designated as very high assault risks pursuant to PD 05.01.135 "Statistical Risk Screening" except under the following circumstances:
 - a. The prisoner has been granted a parole as indicated on the Notice of Action/Parole Board (CAX-114); however, if the parole is subsequently suspended, continued placement in Level I requires the approval of the CFA Deputy Director or designee.
 - b. The prisoner's confinement level is Level I, consistent with the screening requirements set forth in OP CFA 05.01.130 "Completion of Security Classification Forms – For Male Prisoners".
- V. A prisoner's true security level shall be increased or decreased through a departure if necessary to meet the requirements set forth in Paragraphs Q through U.
- W. Security classification shall take precedence over program classification except as set forth in Paragraph X. Custody reductions shall not be delayed if the same or similar programs are offered in the less secure facility. However, lateral transfers and transfers to reduced custody shall be delayed if the prisoner is involved in a program as a result of a programming assessment recommended by the Parole Board.
- X. Reductions in custody and lateral transfers of prisoners involved in the programs listed below, in order of priority, shall be made only when necessary and only with the approval of the Warden or designee:
1. Therapy programs (e.g., sex offender therapy) if there has been a considerable investment of time and resources, the prisoner's completion of the program is imminent, and space at the current placement allows such delay.

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2. Career and technical education programs.
 3. Academic education programs.
- Y. Staff responsible for assignment to the programs identified in Paragraph X shall review security reduction eligibility dates before prisoners are assigned to determine if sufficient time remains for the completion of the program.

OPERATING PROCEDURES

- Z. The CFA Deputy Director shall ensure that procedures are developed as necessary to implement this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that any existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or if no longer needed. Wardens may similarly develop procedures to implement this policy directive; however, facility procedures shall not conflict with procedures issued by the Deputy Director.

AUDIT ELEMENTS

- AA. A Primary Audit Elements List has been developed and will be provided to Wardens to assist with self-audit of this policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

PLC:OPH:02/19/04